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Attorneys for Defendant Tony Daniel Klein

IN THE UNITED STATES DISTRICT COURT  
  
FOR THE DISTRICT OF OREGON  
  
PORTLAND DIVISION

**UNITED STATES OF AMERICA,**

PLAINTIFF,

vs.

**TONY DANIEL KLEIN,**

DEFENDANT.

**No. 3:19-CV-00234**

**DEFENDANT'S EXPERT SUMMARY  
AND NOTICE**

COMES NOW, the defendant, Tony Klein, by and through counsel, and gives notice pursuant to Fed. R. Crim P. 16(b)(1)(C) of his intent to introduce testimony under

Fed. R. Evid. 702, 703, or 705 in the trial on the matter. Below are summaries of the qualifications and expected testimony of the witness.

As discussed in earlier pleadings, counsel for Mr. Klein continues to assert the need for a continuance for all the reasons previously documented in the motions for continuance. Understanding that the motion for continuance was denied, defense counsel continues to assert the need for a continuance but are filing this notice in a good faith attempt to comply with the current deadlines. Defense counsel respectfully requests the right to supplement this notice at a later date and to provide additional expert notices in the future, given that defense has requested a continuance for the purpose of continuing investigation and gathering records. Moreover, the discovery received by the Defense in the first week of March, contains new discovery that merits additional investigation and may lend itself to needing additional expert witnesses and defense counsel has had insufficient time with that new discovery to determine whether additional experts are needed.

### **DEFENSE'S EXPERT WITNESS**

#### **I. Constantine Alleyne, MPH, MBA; Founder and President of Civilian Corrections Academy**

Constantine Alleyne will testify as an expert witness by providing background testimony at trial to educate the jury about the experiences of working a civilian position (like a nurse or other medical staffer) in a correctional setting. She will testify about best practices in corrections to support civilian employees in a correctional setting, including what settings are the most supportive and protective of staff and adults in custody

(“AIC’s”) as well as what settings and policies produce the greatest risk for false accusations or other dangers for civilian staff.

Ms. Alleyne’s testimony will give necessary context to the testimony of the witnesses, as she will explain the unique circumstances that arise in a custodial setting that can contribute to false accusations being made against staff or other forms of exploitation against civilian staff.

She will discuss the difference between civilian employees and correctional staff in a custodial setting and why the former are more vulnerable. She will discuss the culture in a custodial setting and why various aspects lend themselves to motivating accusations against staff. She will discuss the types of training provided, generally, to civilian staff in a correctional setting and the importance of supporting staff to prevent false accusations or potential manipulation by AICs. Ms. Alleyne will testify about how the trauma backgrounds that many female AIC’s have can contribute to a culture where false accusations can arise.

Ms. Alleyne’s professional background qualifies her to give such testimony. Ms. Alleyne has varying degrees, including a Master’s in Public Health as well as an Executive Master’s in Business administration. She has worked in the public health and correctional setting for over a decade. She is on the Board of Trustees for the Middle Atlantic States Correctional Association.

Ms. Alleyne has over two decades of correctional experience. Ms. Alleyne’s background in the correctional setting is particularly relevant due to the allegations arising in the health unit of a correctional facility against a civilian employee. Ms.

Alleyne was the Health Services Manager of the NYC Department of Health and Mental Hygiene where she supervised the health care of a particular inmate population. In 2012, she moved on to become the Prison Health Services Administrator for Corrections agencies in Connecticut, where she managed and orchestrated facility health services in a correctional setting.

She sat on the Policy and Procedure Committee for five years, as well as serving on the PREA Audit Committee for three years.

In 2018, she founded The Civilian Corrections Academy, where she trains and educates civilians (like nurses, doctor's, etc.) about successfully working in custodial settings. Although Ms. Alleyne has testified previously in various settings, she does not maintain an active list of trials.

Digital Signature: /s/Constantine Alleyne

Respectfully submitted on March 22, 2023

/s/ Amanda Thibeault

Amanda A. Thibeault, OSB #132913

Attorney for Defendant